

REMARKS

Claims 1-63 are pending in the present application. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 103, Alleged Obviousness, Claims 1-63

The Office Action rejects claims 1-63 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yamada et al. (U.S. Patent No. 6,564,231) in view of Bookspan et al. (U.S. Patent No. 6,629,129). This rejection is respectfully traversed.

As to claims 1, 21 and 41, the Office Action states:

Yamada discloses a method of copying computer files to a destination location, comprising: receiving a copy instruction, the copy instruction identifying a plurality of computer files to be copied and the destination location (see col. 8-9, lines 1-67); and displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied (see col. 10-11, lines 1-65); however, Yamada fails to explicitly teach copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied.

Bookspan teaches and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied (see col. 14, lines 62-67). It would have been obvious to one of an ordinary skill in the art the time the invention was made to provide and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied as taught by Bookspan to a method for managing file of Yamada in order to enhance a user friendly while copy/delete file interactively on screen.

Office Action dated December 24, 2003, pages 2-3.

Claim 1, which is representative of the other rejected independent claims 21 and 41 with regard to similarly recited subject matter, reads as follows:

1. A method of copying computer files to a destination location, comprising:
receiving a copy instruction, the copy instruction identifying a plurality of computer files to be copied and the destination location;

displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied; and

copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied.

Yamada and Bookspan, taken alone or in combination, fail to teach or suggest displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied.

Yamada is directed to a method for managing files in a library that accesses files by operating with a plurality of preservation recording media storing data as files. The Yamada method copies more highly requested data files to other storage devices of high-speed access, including recording a playback request of the file when required; creating frequency information of the playback request of each file according to the playback request; and copying a file that is judged to have very frequent playback requests, at specified time intervals or when the number of the playback requests reaches a specified value.

Thus, with the method of Yamada, the system receives a viewing request and copies the files to a local database for viewing. Additionally, with the method of Yamada, an analysis is performed based on the frequency of viewing and, based on that analysis, files are copied to other databases to increase viewing capabilities. Yamada does not teach displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied. The Office Action alleges that Yamada teaches this feature at column 10, line 1 to column 11, line 65. In this lengthy section, Yamada is describing a process whereby the file management unit creates copies of files that have a high frequency of playback on other hard disks. After the files have been copied, the file management system is updated showing the location of the various files and, upon a new request, the readout control unit transmits the file for playback. There is nothing in this section, or any other section of Yamada, that teaches or suggests displaying attributes of the plurality of computer files simultaneously, in an

order in which the plurality of computer files are to be copied. In fact, the term "display" is not present in the Yamada reference.

Furthermore, the Office Action admits that Yamada does not teach or suggest copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied. Applicants agree with the Office Action that Yamada does not teach this feature. However, the Office Action alleges that Bookspan teaches this feature at column 14, lines 62-67, which reads as follows:

As mentioned above, a copy of an electronic document may be transferred during a virtual meeting between meeting participants. During the virtual meeting, a virtual copy of the electronic document appears as part of the virtual image of the host display 1020A-B that appears on the meeting attendee's computer 1004A-B during the virtual meeting.

Bookspan is directed to a method for controlling the interaction between a primary application and a virtual meeting application and assigning the responsibility between them for providing user interface components are provided. The virtual meeting application provides the functionality for a virtual meeting and provides user interface components related to transient state changes in the virtual meeting. While Bookspan may teach copying files from one computer to another, the Bookspan reference does not teach or suggest copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied. Bookspan teaches that, while an electronic document may be edited by a meeting participant during a virtual meeting, a discrete copy of the electronic document is not stored on the meeting attendee's computer unless a copy of it is transferred from the meeting host's computer to a meeting attendee's computer (see column 15, lines 1-5). There is nothing in the cited section, or any other section of Bookspan, that teaches or suggests placing files into an order and then copying the files to a destination computer in an order corresponding to an order in which the files are presented for display. Additionally, Bookspan does not provide for the deficiencies of the Yamada reference. That is, Bookspan does not teach or suggest displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied, as recited in at least claim 1.

Furthermore, there is not so much as a suggestion in either reference to modify the references to include such features. That is, there is no teaching or suggestion in Yamada or Bookspan that a problem exists for which displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied, and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied, is a solution. To the contrary, Yamada only teaches copying files based on request or analysis. Bookspan only teaches copying a file that is edited during a virtual meeting to a participant's computer. Neither reference even recognizes a need to display the attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied and copy the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied, as recited in claim 1.

Moreover, neither reference teaches or suggests the desirability of incorporating the subject matter of the other reference. That is, there is no motivation offered in either reference for the alleged combination. The Office Action alleges that the motivation for the combination is "in order to enhance a user friendly while copy/delete file interactively on screen." Neither reference orders the files in an order in which the plurality of computer files are to be copied. Thus, the only teaching or suggestion to even attempt the alleged combination is based on a prior knowledge of Applicants' claimed invention thereby constituting impermissible hindsight reconstruction using Applicants' own disclosure as a guide.

One of ordinary skill in the art, being presented only with Yamada and Bookspan, and without having a prior knowledge of Applicants' claimed invention, would not have found it obvious to combine and modify Yamada and Bookspan to arrive at Applicants' claimed invention. To the contrary, even if one were somehow motivated to combine Yamada and Bookspan, and it were somehow possible to combine the two systems, the result would not be the invention, as recited in claim 1. The result would be simply copying files. The resulting system still would not display the attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied and copy the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied.

Independent claim 61 recites similar features in its respective claim terminology. Claim 61 recites "displaying an identification of the plurality of files in a graphical user interface simultaneously in an order in which the plurality of files are to be copied to the destination and copying the plurality of files to the destination in the order."

Thus, Yamada and Bookspan, taken alone or in combination, fail to teach or suggest all of the features in independent claims 1, 21, 41 and 61. At least by virtue of their dependency on claims 1, 21, 41 and 61, Yamada and Bookspan, taken alone or in combination, fail to teach or suggest all of the features of dependent claims 2-20, 22-40, 42-60, 62 and 63, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-63 under 35 U.S.C. § 103(a).

Moreover, in addition to their dependency from independent claims 1, 21, 41 and 61 respectively, Yamada and Bookspan do not teach or suggest the specific features recited in dependent claims 2-20, 22-40, 42-60, 62 and 63. For example, with regard to claims 4, 8, 24, 28, 44 and 48, Bookspan does not teach or suggest displaying an estimated time of completion of copying the currently copying computer file. The Office Action alleges that Bookspan teaches this feature at Figure 9B, shown below:

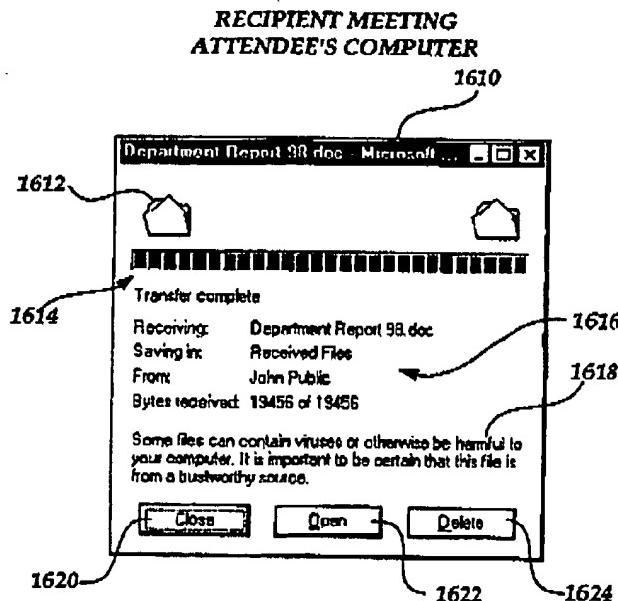


Fig.9B.

Nowhere in this figure is there displayed an estimated time of completion of copying the currently copying computer file.

As an additional example, with regard to claims 11, 31 and 51, neither Yamada nor Bookspan, taken alone or in combination, fairly teaches or suggests rearranging, during copying of the plurality of computer files, the order in which the plurality of computer files are to be copied. As discussed above, Yamada and Bookspan, taken alone or in combination, fail to teach or suggest ordering the files in an order in which the plurality of computer files are to be copied. Thus, neither reference could rearrange, during the copying of the plurality of computer files, the order in which the plurality of computer files are to be copied, as the files were not in any original order.

As a further example, with regard to claims 17, 37 and 57, neither Yamada nor Bookspan, taken alone or in combination, fairly teaches or suggests receiving a skip command and changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be skipped during copying of the plurality of computer files. The Office Action alleges that Bookspan teaches this feature in Figures 9B (shown above) and 9A, shown below:

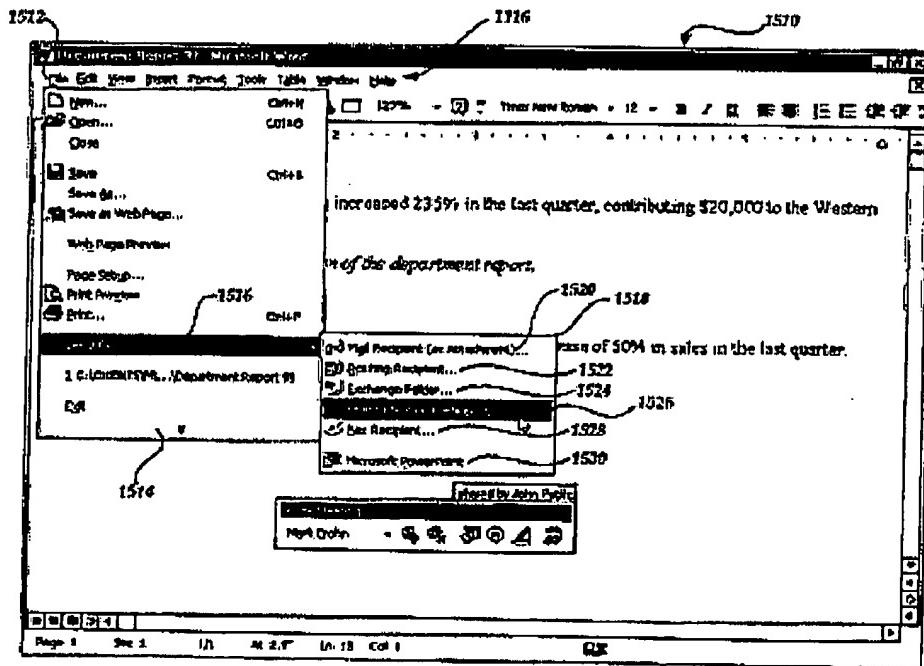


Fig.9A.

There is nothing in either of Figures 9A and 9B which shows or fairly references a "skip command". Furthermore, there is nothing in any section of Bookspan that teaches or suggests changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be skipped during copying of the plurality of computer files.

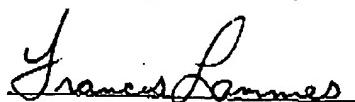
Therefore, in addition to being dependent on independent claims 1, 21, 41 and 61 respectively, dependent claims 2-20, 22-40, 42-60, 62 and 63 are also distinguishable over Yamada and Bookspan by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent claims 2-20, 22-40, 42-60, 62 and 63 under 35 U.S.C. § 103 (a).

II. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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